

ETHICS COMMISSION

PROGRAM: Ethics Program Compliance		PROGRAM ELEMENT:				
PROGRAM MISSION: To ensure the ethical conduct of individuals who serve the County government						
COMMUNITY OUTCOMES SUPPORTED: • Public trust in ethical and transparent government • Respect for the law • Equal access and opportunities for County employees, citizens, and businesses						
PROGRAM MEASURES ^a	CY03 ACTUAL	CY04 ACTUAL	CY05 ACTUAL	FY06 BUDGET	FY07 CE REC	
Outcomes/Results:						
Waiver requests ^b denied	2	2	1	3		2
Waiver requests ^b granted	2	1	5	2		3
Advisory opinions rendered ^c	16	14	3	15		10
Outside employment conflicts identified	3	7	8	5		8
Outside employment requests denied	3	5	2	3		4
Outside employment requests granted	NA	NA	722	745		775
Complaints adjudicated and settled	1	2	2	2		3
Legislative, regulatory, and procedural changes recommended and enacted	1	2	7	10		5
Service Quality:						
Commission decisions reconsidered	1	0	0	0		0
Commission decisions reversed	NA	NA	0	0		0
Percentage of reconsidered decisions that were reversed	NA	NA	0	0		0
Average turnaround time for processing routine requests (days) ^d	NA	NA	10	10		10
Percentage of financial disclosure statements that were filed on time	NA	NA	85	85		95
Efficiency:						
Cost per routine transaction ^e processed (\$)	75.33	67.71	80.19	72.43		76.49
Percentage of time spent on investigations	NA	NA	5	5		5
Workload/Outputs:						
Complaints received and investigated	9	5	3	3		4
Waiver requests received and reviewed	20	19	6	8		5
Advisory opinions requested and analyzed	NA	NA	3	10		20
Outside employment requests received and reviewed	646	684	724	750		775
Lobbyist registrations processed	84	125	118	125		120
Lobbyist activity reports filed	77	150	154	175		150
Financial disclosure statements processed	1,443	1,582	1,674	1,853		1,895
Citations issued to delinquent financial disclosure filers ^f	NA	NA	2	15		8
Adjudicatory hearings held	NA	NA	1	1		1
Customer service contacts regarding:						
Informal advice	NA	NA	250	300		300
Financial disclosure	NA	9,056	8,973	8,700		7,500
Lobbyist records	NA	NA	104	125		145
Outside employment	NA	NA	125	100		125
Training sessions conducted	NA	NA	5	35		20
Inputs:						
Expenditures (\$)	169,488	172,060	214,116	210,270		224,890
Workyears	2.0	2.0	2.8	2.0		2.6
Notes:						
^a All figures except expenditures and workyears are based on the calendar year (e.g. FY04 expenditures and workyears are reported in the CY04 column).						
^b The Commission is authorized to waive certain provisions of the Ethics Law, subject to statutory standards and, in some cases, imposition of special conditions.						
^c Advisory opinions represent interpretations of the Ethics Law and can serve as guidelines for the future (the Ethics Commission is the final authority for interpreting the Ethics Law). Advisory opinions are posted on the web and incorporated into ethics training.						
^d Routine requests include all customer contacts except those regarding financial disclosure. Note that if a request for outside employment is already approved by the department director, the employee may begin work while the request is being processed by the Commission.						
^e Routine transactions include outside employment approval requests, lobbyist registration forms and activity reports, financial disclosure forms processed, and customer service contacts.						
^f Authority was granted to the Executive Secretary in June 2005 to issue citations requiring a court appearance and possible fines for those persons who, after receiving numerous requests to file, refuse to file financial disclosure statements as required by law.						
EXPLANATION:						
The Ethics Commission is the final authority for interpretation of the County's Ethics Law, enforcing compliance, and ensuring ethical conduct by employees of the Executive Branch, County Council, Boards and Commissions, Revenue Authority, Housing Opportunities Commission, fire corporations, and rescue squads. Designated public officials, employees, appointees, candidates for public office, and volunteers are required to disclose financial information that could reveal existing or potential conflicts of interest. Lobbyists are required to register and periodically report on lobbying activities involving the County government. The Ethics Commission receives and acts on complaints of violations of the Ethics Law, makes final decisions on requests for approval of outside employment, renders and publishes advisory opinions, and is the official repository for forms and records filed under the County's Public Ethics Law. The Commission is authorized to conduct investigations, issue summonses and subpoenas, impose sanctions, adopt regulations, establish procedures, and conduct related public information and education programs. Under certain circumstances, the Commission can waive certain provisions of the Ethics Law. Complaints can be dismissed by the Commission or, if valid, adjudicated through a hearing or by consent order. Possible sanctions include fines, public or private reprimands, termination of employment, and criminal prosecution. Persons affected by a final decision of the Commission regarding a complaint, request for waiver, or request for approval of outside employment may appeal to the Circuit Court. (No Commission decisions have ever been appealed to the Circuit Court.)						
PROGRAM PARTNERS IN SUPPORT OF OUTCOMES: County Attorney's Office, Office of the Inspector General.						
MAJOR RELATED PLANS AND GUIDELINES: Section 19A, §2-109, §11B-51, and §11B-52(a) of the Montgomery County Code; Executive Order 2199; Council Resolutions 14-1055 and 14-818.						